

**UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLUMBIA**

INEZ CLEMINTINE CHANCE,	:	
	:	
Plaintiff,	:	
	:	
v.	:	Civil Action No.: 01-1053 (RMU)
	:	
DEWITT ARMY COMMUNITY	:	
CENTER <i>et al.</i>	:	Document No.: 7
	:	
Defendants.	:	

**MEMORANDUM ORDER**

**TRANSFERRING THE CASE TO THE EASTERN DISTRICT OF VIRGINIA**

This case is before the court on the defendants’ motion to dismiss or to transfer the case to the Eastern District of Virginia. The plaintiff brings an employment discrimination action under Title VII of the Civil Rights Act of 1964, as amended, 42 U.S.C. § 2000e *et seq.* Section 2000e-5(f)(3) of Title 42 lays venue for the plaintiff’s claim (1) in any judicial district in the state where the unlawful employment practice is alleged to have taken place, (2) in the district where the relevant employment records are maintained and administered, or (3) in the district where the complainant would have worked, but for the unlawful practice. *See, e.g., Washington v. General Elec. Corp.*, 686 F. Supp. 361, 363 (D.D.C. 1988). If the defendant cannot be “found” in any such district, venue is also proper in the district where the defendant has its “principal office.” *See id.*

The defendants assert and the plaintiff does not contest that (1) the alleged unlawful employment practice occurred in Fort Belvoir, Virginia, (2) the relevant employment records are maintained and administered in Fort Belvoir, Virginia, and (3) the plaintiff at all relevant times worked in

Fort Belvoir, Virginia.<sup>1</sup> *See* Defs.’ Mot. to Dismiss or For Change of Venue at 3; Pl.’s Response at 1.

Thus, because the plaintiff fails to meet Section 2000e-5(f)(3)’s first three criteria, venue is proper in this district only if the defendants’ “principle office” is located in the District of Columbia. While there is some dispute between the parties as to the identify of the proper defendants -- whether it is the Dewitt Army Community Center (located in Fort Belvoir, Virginia), as originally listed in the plaintiff’s complaint, or the Secretary of the Army, Thomas E. White, whose office is in the Pentagon (located in Arlington, Virginia) -- in either situation venue is improper in this district.

Section 1404(a) of Title 28 of the United States Code permits this court to transfer “any civil action to any other district or division where it might have been brought.” This action could have been brought in the Eastern District of Virginia because that is where the alleged discrimination occurred and where the plaintiff’s employment records are maintained and administered. Accordingly, pursuant to section 1404(a),

it is this \_\_\_\_\_ day of January, 2002,

**ORDERED** that the defendants’ motion to dismiss or change venue is **GRANTED in part**; and it is

**FURTHER ORDERED** that this case is **TRANSFERRED** to the Eastern District of Virginia; and it is

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<sup>1</sup> The plaintiff’s nine-line opposition states, “Plaintiff would ask the court not to dismiss this action but, if deemed filed in the wrong district court, transfer it to the proper venue.” *See* Pl.’s Response at 1.

**ORDERED** that the clerk's office transfer the record of this case to the United States District Court for the Eastern District of Virginia.

**SO ORDERED.**

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Ricardo M. Urbina  
United States District Judge

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